

| United States District Court  |   | DISTRICT<br>Eastern District of Pennsylvania   |                                  |
|---|---|--|----------------------------------|
| UNITED STATES OF AMERICA<br>v.<br>MICHAEL MOORE   |   | DOCKET NO.   |                                  |
|   |   | MAGISTRATE'S CASE NO.<br><br>10-546  |                                  |
| Complaint for violation of Title 18, United States Code § 875(c)  |   |  |                                  |
| NAME OF JUDGE OR MAGISTRATE<br><br>HONORABLE CAROL S. MOORE WELLS   |   | OFFICIAL TITLE<br><br>U.S. Magistrate Judge  | LOCATION<br><br>Philadelphia, PA |
| DATE OF OFFENSES<br>March 27, 2010 through<br>April 1, 2010   | PLACE OF OFFENSE<br>Eastern District of<br>Pennsylvania | ADDRESS OF ACCUSED (if known)<br>330 West 3rd Street, Apartment 205A<br>Bridgeport, Pennsylvania 19405 |                                  |
| COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:<br><br>On or about March 27, 2010 through April 1, 2010, in the Eastern District of Pennsylvania, defendant Michael Moore transmitted in interstate commerce communications containing threats to injure other persons, in violation of Title 18, United States Code, Section 875(c). |   |  |                                  |
| BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:<br><br>SEE AFFIDAVIT ATTACHED HERETO.  |   |  |                                  |
| MATERIAL WITNESSES IN RELATION AGAINST THE ACCUSED  |   |  |                                  |
| Being duly sworn, I declare that the foregoing<br>is true and correct to the best of my knowledge.  |   | SIGNATURE OF COMPLAINANT (official title)<br><br>Jesse Kunkle <i>Jesse A. Kunkle</i>                   |                                  |
|   |   | OFFICIAL TITLE<br><br>SA, Federal Protective Service   |                                  |
| Sworn to before me and subscribed in my presence.   |   |  |                                  |
| SIGNATURE OF MAGISTRATE (1)<br><br>HONORABLE CAROL S. MOORE WELLS, United States Magistrate Judge   |   | DATE<br><br>April 1, 2010  |                                  |

1) See Federal Rules of Criminal Procedure rules 3 and 54.

**AFFIDAVIT**

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief;

1. I, Jesse A. Kunkle, am a Special Agent for the Federal Protective Service (FPS), U.S. Department of Homeland Security (DHS), National Protection and Programs Directorate (NPPD). I have been employed by the FPS, as a Special Agent for a period of five years. I am currently assigned to the Federal Bureau of Investigation (FBI), Joint Terrorism Task Force (JTTF). Prior to my appointment as a Special Agent, I was employed by the FPS as a Police Inspector for a period of two years and six months. I have served in the capacity as a Police Officer for a period of four years, also with the FPS. I am a graduate of the Federal Law Enforcement Training Center (FLETC) at Glynco, Georgia, for the Criminal Investigator Training Program, as well as the Mixed Basic Police Training Program. I served honorably in the United States Air Force (USAF), as a Security Police Member. I graduated from the USAF, Security Police Training Program, and USAF Basic Military Training respectively. I have served in excess of 15 years as a sworn Law Enforcement Officer.

2. This affidavit is in support of a criminal complaint and application for a warrant for arrest charging MICHAEL MOORE with transmitting in interstate commerce any communication containing...any threat to injure the person of another in violation of Title 18 United States Code § 875 (c). The probable cause for this affidavit is outlined below.

3. On March 17, 2010, MICHAEL MOORE was involuntarily committed for a physiological evaluation of his current mental state by FPS Inspector Steve Skipp. This action was taken when MICHAEL MOORE was found to be leaving envelopes at the Federal Building

located at 600 Arch Street, Philadelphia, Pennsylvania, containing miscellaneous papers with no specific intended recipient as he had done for several days prior.

4. On March 27, 2010, MICHAEL MOORE was released from the aforementioned physiological evaluation of his current mental state. This information was obtained through investigation and information related to me by other Law Enforcement Members.

5. Shortly after his release from the involuntary commitment, MICHAEL MOORE began sending threatening and other bizarre e-mails to the Philadelphia Complaints and Washington Field Office Complaints e-mail accounts for the Federal Bureau of Investigations. Between March 27, 2010 and April 1, 2010, approximately 50 e-mails have been received from "Mike Moore" using e-mail addresses mike.sam.moore@gmail.com and danielvsthebitch@rocketmail.com.

6. On March 27, 2010, an e-mail was sent from mike.sam.moore@gmail.com in which the sender identifies himself as Mike Moore, living at 330 West 3rd Street, Apartment 205A, Bridgeport, Pennsylvania 19405. This same e-mail refers to MOORE's recent "302" involuntary mental health commitment. This is the same address provided by MOORE at the time of his involuntary commitment.

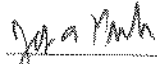
7. On March 30, 2010 an e-mail was sent at by Mike Moore, and received by more than 30 FBI Field Offices throughout the United States and the world, including New York, New York and Philadelphia, Pennsylvania, wherein he states in part, "... I need to have some field testing done before I begin bombing the shit out of New York City..." This same e-mail references FPS Inspector Skipp and refers to seeking out Inspector Skipp's "boss." This e-mail, containing the threat and reference to Inspector Skipp, was sent from address: mike.sam.moore@gmail.com.

8. On March 31, 2010 an e-mail was sent by Mike Moore from mike.sam.moore@gmail.com to the Washington D.C. field office of the FBI and the Philadelphia Complaints e-mail of the FBI in which he states: "MIKE MOORE IS ABOUT TO BLAM! AND MURDER THE ENTIRE POPULATION."

9. There are several e-mails referencing the President of the United States, both as "Obama" and "O" in which the sender both directly and indirectly suggests harm to the President, including a reference on March 31, 2010 to "POINT THE GUNS AT O" and a separate e-mail on March 31, 2010 making reference to killing the President of the United States.

10. A subpoena to Google Inc. Legal Compliance confirms that during the period March 27, 2010 through April 1, 2010, the e-mail address "mike.sam.moore@gmail.com" was registered to Mike Moore. Google's servers are based in Mountain View, California, and any e-mail sent from a gmail address travels across state lines.

Based upon the facts and information presented in this affidavit, and based upon my investigative training and experience, I have probable cause to believe that MICHAEL MOORE has committed violations of 18 United States Code § 875 (c), (transmitting in interstate commerce any communication containing . . . any threat to injure the person of another), and respectfully request the issuance of a Warrant for the Arrest for MICHAEL MOORE.

  
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JESSE A. KUNKLE  
Special Agent, DHS/NPPD/FPS

SWORN TO AND SUBSCRIBED  
BEFORE ME THIS 1<sup>st</sup> DAY OF  
APRIL, 2010

BY THE COURT:

  
\_\_\_\_\_  
HONORABLE CAROL S. MOORE WELLS  
*United States Magistrate Judge*